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**UNITED STATES DISTRICT COURT**

## EASTERN DISTRICT OF CALIFORNIA

XENIA SIMMONS; ZHANA McCULLOUGH; ARTHUR ROTTER; GENE ROTTER; DANIELLE ROTTER; and KELLY ANNE ROTTER,

CASE NO. 2:21-cv-02215-TLN-DMC

Assigned to Hon. Troy L. Nunley

**JOINT STIPULATION AND ORDER TO  
MODIFY INITIAL PRETRIAL  
SCHEDULING ORDER AND ORDER**

**Complaint Filed:** September 30, 2021  
**Trial Date:** None Set

LIBERTY MUTUAL FIRE INSURANCE  
COMPANY, et al.,

### Defendants.

Pursuant to Civil Local Rule 145(a)(1) and subject to the Court's approval, the parties hereto jointly stipulate to further modify the Pretrial Scheduling Order filed December 1, 2021, (ECF 3) and the Court's prior modification of the Scheduling Order (ECF 18) as detailed below. This is the second request to modify the schedule.

This stipulation is being made because, due to a calendaring mistake on the part of Defendant, Defendant requires additional time to prepare its Rule 26 expert witness disclosure and accompanying reports. The parties met and conferred regarding the additional extension and agree that a two-week extension of the present disclosure dates would facilitate expert discovery in this case while continuing to move the case forward. There is no trial date or pre-trial conference date set in this matter. There will be no inconvenience to the Court if this stipulation is granted.

Accordingly, the parties stipulate and agree to the following amendments in the scheduling order:

<b>Event</b>	<b>Current Deadline</b>	<b>New Proposed Deadline</b>
Disclosure of Experts	May 1, 2023	May 15, 2023
Supplemental Disclosure of Experts	May 22, 2023	June 5, 2023
Expert Discovery Cut Off		60 days after the expert's disclosure or 60 days after the Court's ruling on defendant's motion for summary judgment, whichever is later

The parties agree that all other matters contained in the Initial Pretrial Scheduling Order remain unchanged.

DATED: April 27, 2023 MURPHY AUSTIN ADAMS SCHOENFELD LLP

By /s/ Alexander Stuart  
ALEXANDER STUART  
Attorneys for Plaintiffs

DATED: April 27, 2023 ROPERS MAJESKI PC

By /s Norman Lau  
BLAKE J. RUSSUM  
NORMAN LAU  
Attorneys for LIBERTY MUTUAL FIRE  
INSURANCE COMPANY

## ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: April 27, 2023

Troy L. Nunley

Troy L. Nunley  
United States District Judge